

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(DO/EO/US)

#3

In re national phase of:

Applicant(s): NISHINO et al.  
International Application No.: PCT/JP2003/011220  
International Filing Date: 02 September 2003  
Priority Date Claimed: 30 September 2002  
Title of Invention: OPTICAL INFORMATION STORAGE MEDIUM AND READ/WRITE DRIVE USING THE SAME

## INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1345

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) X Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) \_\_\_\_\_ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) X Within 3 months of the filing date, date of entry into the National Stage, or filing date of CPA.
- (b) \_\_\_\_\_ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c) \_\_\_\_\_ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /E.M./

(d) \_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) \_\_\_ The required certification is given below, or

(2) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) \_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

(a) \_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

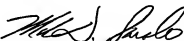
(b) \_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully Submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By



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Form PTO-1449 (Modified)	Atty Docket No.	Express Mail No.
	OKUDP0106US	EV495223077US
	Applicant:	
	NISHINO et al.	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Filing Date	Group
	March 8, 2005	Unknown
(Use several sheets if necessary)		

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub-class	Filing Date if Appropriate
	5,694,249	12/02/1997	Misawa			
	2001/0001607 A1	05/24/2001	Miyauchi et al.			
	4,460,665	07/17/1984	Kunikane et al.			
	5,272,667	12/21/1993	Yamada et al.			
	3,971,874	07/27/1976	Ohta et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Sub-class	Translation	
						Yes	No
	97/09716	13/03/1997	WO				
	61-138236	09/09/1986	JP			Abstract	
	61-203448	09/09/1986	JP			Abstract	
	58-163695	28/09/1983	JP			Abstract	
	59-82342	04/06/1984	JP				X
	02-096942	09/04/1990	JP			Abstract	
	0 130 755 A2	22/06/1984	EP				
	0 142 968 A2	09/11/1984	EP				
	0 188 100 A2	13/12/1985	EP				
	60-127242	06/07/1985	JP			Abstract	
	62-256243	07/11/1987	JP			Abstract	
	0 243 958 A2	29/04/1997	EP				
	01-159840	22/06/1989	JP			Abstract	
	2000-118135	25/04/2000	JP			Abstract	
	01-115685	08/05/1989	JP			Abstract	
	03-069041	25/03/1991	JP			Abstract	
	03-035428	15/02/1991	JP			Abstract	

OTHER ART

 10/527018  
 DT01 PCT/PTC 08 MAR 2005

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.
	International Search Report for corresponding PCT/JP2003/011220, mailed December 16, 2003.
	M. Watanabe et al., "Three-Dimensional Optical Data Storage in Vitreous Silica", JJAP Vol. 37, December 15 1998, Pages L1527-L1530.

EXAMINER /Elizabeth Mulvaney/	DATE CONSIDERED 03/13/2008
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

### Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.

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